

Remarks

Claims 1-6, 12, 18 and 19 were acted upon in the aforementioned Office Action. No claim has been cancelled and no new claim has been added, leaving claims 1-6, 12, 18 and 19 for further consideration.

Claims 1-6 and 12 stand rejected under 35 USC 102(e) as anticipated by U.S. Patent 6,419,695 (Gabbay).

Gabbay discloses a heart valve apparatus having a base portion (152; 176) and a buttress portion (164). The buttress portion extends from the base portion and forms a sheath (174) protruding outwardly and generally axially of the base portion.

Claim 1 has been amended to limit the Applicant's valve shield to a substantially planar shaped sheet of material being substantially uniform in thickness. It is stated on page 6 of the specification, lines 9 and 10, that the sheet may be uniform in thickness.

Inasmuch as Gabbay shows a device markedly different in configuration from that set forth in

amended claim 1, it appears that claim 1 should be deemed allowable over Gabbay.

Claim 1 has been further amended to comply with Examiner's remarks in paragraph 4 of the Office Action.

It is believed, therefore, that claim 1 is in condition for allowance.

Claim 2 depends from claim 1 and would appear to be allowable, at least through dependency. Though claim 2 was not objected to, it appeared that Examiner would prefer the insertion of - shaped - before "sheet" and such as been effected.

Claim 3 depends from claim 2 and is believed to be allowable by virtue of dependency, subject to overcoming a 35 USC 112 rejection. It is believed that the shortcoming noted by Examiner in paragraph 6.a. has been rectified by amendment herein.

Similarly, claim 4 depends from claim 2 and has been amended to overcome the objections of paragraph 4.b. and the 112 rejection in paragraph 6.b.

Similarly, claim 5 depends from claim 2 and has been amended to overcome the 112 rejection in paragraph 6.c. of the Office Action; and claim 6 depends from

claim 2 and has been amended to overcome the objection in paragraph 4.c. and the 112 rejection in paragraph 6.b.

Claims 7-11 have been previously canceled.

Claim 12 depends from claim 2 and has been amended to overcome the objection in paragraph 4.d.

Claims 13-17 have been previously canceled.

Claim 18 has been held allowable if rewritten to overcome the rejection under 35 USC 112. Claim 18 has been amended to overcome the objection of paragraphs 4.e. and 4.b. and 4.g.

Claim 19 depends from claim 1 and would appear to be allowable, at least through dependency. Claim 19 was mentioned in paragraphs 6.d. and 6.e. of the Office Action, but in the belief that claims 19 depended from claim 18. Claim 19 depends from claim 1 and would suffer the deficiencies of claim 1 rather than claim 18. However, claim 1 has been amended to overcome the objection to claim 1, so it would appear that claim 19 is in condition for allowance.

In the Office Action summary, block 9 alongside "The specification is objected to by Examiner" is

checked, but no mention is made as to any particular short-comings.

In the event that any additional fees may be required to be paid in connection with this submission, please charge the same, or credit any overpayment, to Deposit Account No. 16-0221.

Thank you.

Respectfully submitted,



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